

### REMARKS

Applicant thanks the examiner for the guidance provided in the recent office actions. In response to the objection under 37 C.F.R. §1.75, Applicant has cancelled claims 9-16 without prejudice.

### REJECTIONS OF CLAIMS UNDER 35 U.S.C. §112 ARE TREATED

The Applicant has amended the claims to make clear that "preparation of the nail surface" includes "cleaning and treating". Applicant has also amended claim 2 to delete the phrase "detection facilitating" in light of the use of the phrase "coating composition" in the specification. Finally, Applicant has amended claim 4 to eliminate the phrase "however, if the inspection method determines that the nail surface is correctly prepared for the coating composition, this step may be omitted."

### REJECTIONS OF CLAIMS UNDER 35 U.S.C. §103 ARE TREATED

Claims 1-16 were rejected under 35 U.S.C. § 103 as being obvious. This rejection should be withdrawn for the following reasons. First, the §103 rejection involves combining the teachings of Takami with the teachings of each of several other patents. The current patent teaches coating the nail surface with a special color coating to enable the scanning device to more easily distinguish between the nail and the surrounding

tissue. In contrast, Takami teaches digitizing a nail surface, but does not teach coating the nail surface prior to digitizing it in order to enable the scanning device to distinguish between the nail surface and the surrounding material. Rather, Takami teaches applying an ornamental coating to the nail after the nail is digitized.

In addition, the other references that are combined with Takami, similarly do not teach or suggest the application of a coating to the nail surface prior to scanning the nail surface. Belden discloses applying a decorative surface to a fingernail. Hauser teaches applying a moist and non-drying coating to the area of the finger immediately adjacent to the nail to prevent nail polish from adhering to any areas adjacent to the nail. Drake teaches the application of a nail base to the fingernail prior to application of nail polish in order to protect the fingernail. Finally, Kishita teaches coating the nails with a composition after manicuring.

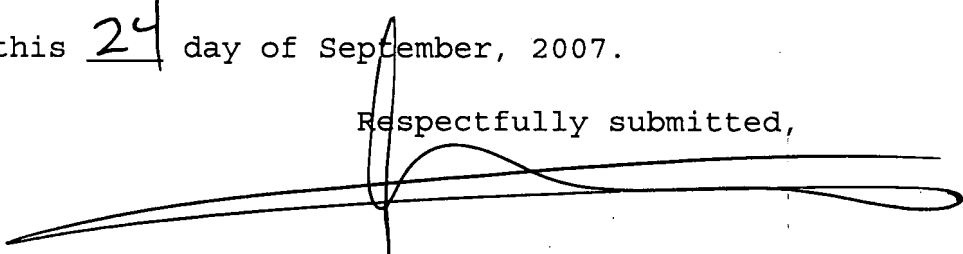
None of these references teach or suggest coating the nail surface prior to scanning as a means of enabling the scanning device to better distinguish between the nail and the surrounding surface. Therefore, coating the nail surface prior to scanning would not have been obvious either from Takami alone or by combining Takami with any of the other references.

CONCLUSION

In view of the foregoing, applicant believes that claims 1-8 are all allowable and the same is respectfully requested. If any impediment to the allowance of these claims remains after entry of this Amendment, and such impediment could be alleviated during a telephone interview, the Examiner is invited to initiate the same.

DATED this 24 day of September, 2007.

Respectfully submitted,

A large, stylized handwritten signature in dark ink, appearing to be 'Grant R. Clayton', written over a horizontal line.

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